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## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

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**Attorneys for Secured Creditor** 

Legacy Mortgage Asset Trust 2018-SL1

In Re:

Angela M. Coyle,

Debtor.

September 19 April 19

Order Filed on February 19, 2019 by Clerk U.S. Bankruptcy Court District of New Jersey

Case No.: 18-33297 ABA

Adv. No.:

Hearing Date: 2/13/19 @ 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

## ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED** 

DATED: February 19, 2019

Honorable Andrew B. Altenburg, Jr. United States Bankruptcy Court Page 2

Debtors: Angela M. Coyle Case No.: 18-33297 ABA

Caption: ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO

**DEBTOR'S CHAPTER 13 PLAN** 

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor Legacy Mortgage Asset Trust 2018-SL1, holder of a mortgage on real property located at 1012 Pitney Road, Absecon, NJ 08201, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Thomas E. Dowey, Esquire, attorney for Debtor, Angela M. Coyle, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Legacy Mortgage Asset Trust 2018-SL1's claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtors' Chapter 13 Plan; and

It is **FURTHER ORDERED**, **ADJUDGED and DECREED** that the avoidance of Legacy Mortgage Asset Trust 2018-SL1's second lien is contingent upon the Debtors' completion of the Chapter 13 plan and Debtors' receipt of a Chapter 13 discharge; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Legacy Mortgage Asset Trust 2018-SL1 shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any other Chapter under the United States Bankruptcy Cod; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that each party shall bear their own attorney's fees and costs incurred in the present case number.

It is **FURTHER ORDERED**, **ADJUDGED** and **DECREED** that prior to the debtor's completion of the Chapter 13 Plan, in the event that the property is destroyed or damaged, pursuant to the mortgage, Legacy Mortgage Asset Trust 2018-SL1's is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale; and

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Debtors: Angela M. Coyle Case No.: 18-33297 ABA

Caption: ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO

**DEBTOR'S CHAPTER 13 PLAN** 

It is **FURTHER ORDERED**, **ADJUDGED** and **DECREED** that Legacy Mortgage Asset Trust 2018-SL1's shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 completion and entry of a Discharge; and

It is **FURTHER ORDERED**, **ADJUDGED and DECREED** that upon completion of the Chapter 13 plan and subsequent discharge, Secured Creditor will take steps to discharge the subject mortgage of record within sixty days; and.

It is **FURTHER ORDERED**, **ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.